

Question on the motion to adjourn, Yeas and Nays were demanded.

The motion prevailed by the following vote:

Yeas—21

Blanchard	Kennard
Calhoun	Moore
Cole	Parkhouse
Creighton	Ratliff
Crump	Reagan
Hall	Richter
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	

Nays—10

Aikin	Moffett
Bates	Owen
Colson	Patman
Dies	Rogers
Krueger	Word

Accordingly the Senate at 11:22 o'clock a.m. adjourned until 11:25 o'clock a.m. today.

FORTY-FOURTH DAY

(Tuesday, March 26, 1963)

The Senate met at 11:25 a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of

the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Morning Call Dispensed With

On motion of Senator Reagan and by unanimous consent the Morning Call was dispensed with.

Message from the House

Hall of the House of Representatives
Austin, Texas,
March 26, 1963.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has concurred in Senate amendments to House Bill No. 9 by vote of 132 Ayes, 13 Noes.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk House of Representatives

Committee Substitute

Senate Bill 15 on Third Reading

Senator Reagan asked unanimous consent to suspend the regular order of business and take up C. S. S. B. No. 15 for consideration at this time.

There was objection.

Senator Reagan then moved to suspend the regular order of business and take up C. S. S. B. No. 15 for consideration at this time.

The motion prevailed by the following vote:

Yeas—21

Blanchard	Kennard
Calhoun	Moore
Cole	Parkhouse
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Schwartz
Hardeman	Spears
Harrington	Strong
Hazlewood	Watson
Herring	

Nays—9

Aikin	Owen
Bates	Patman
Colson	Rogers
Krueger	Word
Moffett	

Absent

Kazen

Reason for Vote

I, Frank Owen III, vote "Nay" on Committee Substitute to Senate Bill No. 15 for the reason that the provisions of said bill fail to safeguard the rights of the individual citizens of the State of Texas and to the contrary, is an aid to the corrupting influences of the money-lenders by legitimatizing the loan shark, i.e., eliminating the loan shark by legalizing his operations.

OWEN.

The President laid before the Senate on its third reading and final passage:

C. S. S. B. No. 15, A bill to be entitled "An Act to classify loans and lenders and provide for their regulation, etc., and declaring an emergency."

The bill was read the third time.

(Pending discussion by Senator Owen of C. S. S. B. No. 15, Senator Herring occupied the Chair.)

(President in the Chair.)

C. S. S. B. No. 15 was then finally passed.

Record of Vote

Senators Krueger, Owen, Word, Creighton, Patman, Rogers and Herring asked to be recorded as voting "Nay" on the final passage of C. S. S. B. No. 15.

Reason for Vote

I, Frank Owen III, vote "Nay" on Committee Substitute to Senate Bill No. 15 for the reason that the provisions of said bill fail to safeguard the rights of the individual citizens of the State of Texas and to the contrary, is an aid to the corrupting influences of the money-lenders by legitimatizing the loan shark, i. e., eliminating the loan shark by legalizing his operations.

OWEN.

Senate Bill 345 on Second Reading

On motion of Senator Kennard and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 345, A bill to be entitled "An Act authorizing cities having a population of three hundred fifty thousand (350,000) or more but less

than four hundred thousand (400,000) according to the last preceding Federal census to provide for the retirement of its active firemen subject to certain conditions; providing for transfer of assets and assumption of liabilities of the Firemen's Relief and Retirement Fund by the Municipal Employees' Retirement Fund; and making other provisions to effectuate the purposes of this Act."

The bill was read second time and was passed to engrossment.

Senate Bill 345 on Third Reading

Senator Kennard moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 345 be placed on its third reading and final passage.

The motion prevailed by the following vote.

Yeas—31

Aikin	Krueger
Bates	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word
Kennard	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Herring
Bates	Kazen
Blanchard	Kennard
Calhoun	Krueger
Cole	Moffett
Colson	Moore
Creighton	Owen
Crump	Parkhouse
Dies	Patman
Hall	Ratliff
Hardeman	Reagan
Harrington	Richter
Hazlewood	Rogers

Schwartz
Spears
Strong

Watson
Word

**Senate Joint Resolution 7 on
Third Reading**

Senator Dies asked unanimous consent to suspend the regular order of business and take up S. J. R. No. 7 for consideration at this time.

There was objection.

Senator Dies then moved to suspend the regular order of business and take up S. J. R. No. 7 for consideration at this time.

The motion prevailed by the following vote:

Yeas—23

Aikin	Moore
Bates	Owen
Cole	Patman
Colson	Reagan
Creighton	Richter
Dies	Rogers
Hall	Schwartz
Harrington	Spears
Herring	Strong
Kazen	Watson
Kennard	Word
Krueger	

Nays—8

Blanchard	Hazlewood
Calhoun	Moffett
Crump	Parkhouse
Hardeman	Ratliff

The President laid before the Senate on its third reading and final passage:

S. J. R. No. 7, Proposing an Amendment to the Constitution of the State of Texas authorizing the issuance of State bonds for the purpose of financing a program for loans to individuals, partnerships and corporations to encourage the development of industries in this State, and providing for administration of the program.

The resolution was read the third time and passed by the following vote:

Yeas—22

Aikin	Hall
Bates	Harrington
Cole	Herring
Colson	Kazen
Creighton	Kennard
Dies	Krueger

Moore	Rogers
Owen	Schwartz
Patman	Spears
Reagan	Strong
Richter	Watson

Nays—9

Blanchard	Moffett
Calhoun	Parkhouse
Crump	Ratliff
Hardeman	Word
Hazlewood	

Recess

Senator Crump moved that the Senate stand recessed until 2:00 o'clock p.m. today.

Senator Calhoun moved that the Senate stand adjourned until 10:00 o'clock a.m. tomorrow.

Question first on the motion to stand adjourned until 10:00 o'clock a.m. tomorrow. Yeas and Nays were demanded.

The motion was lost by the following vote:

Yeas—13

Aikin	Krueger
Blanchard	Moffett
Calhoun	Owen
Creighton	Parkhouse
Hall	Ratliff
Hazlewood	Word
Herring	

Nays—18

Bates	Moore
Cole	Patman
Colson	Reagan
Crump	Richter
Dies	Rogers
Hardeman	Schwartz
Harrington	Spears
Kazen	Strong
Kennard	Watson

Question next on the motion to recess until 2:00 o'clock p.m. today, the motion prevailed.

Accordingly the Senate at 12:10 o'clock p.m. took recess until 2:00 p.m. today.

After Recess

The President called the Senate to order at 2:00 o'clock p.m. today.

Leave of Absence

Senator Hall was granted leave of absence for today on account of illness on motion of Senator Word.

Senate Bill 7 on Third Reading

Senator Bates asked unanimous consent to suspend the regular order of business and take up S. B. No. 7 for consideration at this time.

There was objection.

Senator Bates then moved to suspend the regular order of business and take up S. B. No. 7 for consideration at this time.

The motion prevailed by the following vote:

Yeas—18

Aikin	Parkhouse
Bates	Patman
Blanchard	Ratliff
Cole	Reagan
Dies	Richter
Hardeman	Schwartz
Harrington	Spears
Kennard	Strong
Owen	Watson

Nays—8

Calhoun	Herring
Colson	Krueger
Creighton	Rogers
Hazlewood	Word

Absent

Crump	Moffett
Kazen	Moore

Absent—Excused

Hall

The President laid before the Senate on its third reading and final passage:

S. B. No. 7, A bill to be entitled "An Act creating Pan American College as a state supported institution of higher education; etc., and declaring an emergency."

The bill was read the third time and was passed.

Record of Votes

Senators Herring, Word, Krueger, Crump, Strong, Rogers, Colson, Kennard, Calhoun, Creighton, Dies and Ratliff asked to be recorded as voting "Nay" on the final passage of S. B. No. 7.

Leave of Absence

Senator Bates was granted leave of absence for today on account of

the death of his law partner on motion of Senator Owen.

Reports of Standing Committees

Senator Parkhouse by unanimous consent submitted the following reports:

Austin, Texas,
March 26, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Water and Conservation, to whom was referred S. B. No. 378, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PARKHOUSE, Chairman.

Austin, Texas,
March 26, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Water and Conservation, to whom was referred S. B. No. 427, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PARKHOUSE, Chairman.

Austin, Texas,
March 26, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Water and Conservation, to whom was referred H. B. No. 294, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PARKHOUSE, Chairman.

Senator Dies by unanimous consent submitted the following reports:

Austin, Texas,
March 26, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred S. B. No. 311, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

DIES, Chairman.

Austin, Texas,
March 26, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 377, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

DIES, Chairman.

Austin, Texas,
March 26, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 35, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

DIES, Chairman.

Austin, Texas,
March 26, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred S. B. No. 385, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

DIES, Chairman.

Austin, Texas,
March 26, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred S. B. No. 384, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

DIES, Chairman.

Austin, Texas,
March 26, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred S. B. No. 91, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

DIES, Chairman.

Austin, Texas,
March 26, 1963.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred S. B. No. 372, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass, but that the Committee Substitute adopted in lieu thereof do pass and be printed.

DIES, Chairman.

C. S. S. B. No. 372 was read the first time.

House Bill 377 Ordered Not Printed

On motion of Senator Dies and by unanimous consent H. B. No. 377 was ordered not printed.

Senate Joint Resolution 1 on Third Reading

Senator Kazen asked unanimous consent to suspend the regular order of business and take up S. J. R. No. 1 for consideration at this time.

There was objection.

Senator Kazen then moved to suspend the regular order of business and take up S. J. R. No. 1 for consideration at this time.

The motion prevailed by the following vote:

Yeas—19

Aikin	Krueger
Blanchard	Patman
Cole	Reagan
Colson	Richter
Creighton	Schwartz
Dies	Spears
Harrington	Strong
Herring	Watson
Kazen	Word
Kennard	

Nays—7

Calhoun	Parkhouse
Crump	Ratliff
Hardeman	Rogers
Owen	

Absent

Hazlewood	Moore
Moffett	

Absent—Excused

Bates	Hall
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The President laid before the Senate on its third reading and final passage:

S. J. R. No. 1, Proposing an amendment to Sections 2 and 4 of Article VI of the Constitution of the State of Texas so as to repeal the provision making payment of the poll tax a requirement for voting and so as to authorize the Legislature to provide for the registration of all voters.

The resolution was read third time.

Question—Shall S. J. R. No. 1 be finally passed?

Final Passage of Senate Joint Resolution 1 Set as Special Order

Senator Kazen asked unanimous consent that S. J. R. No. 1 on its final passage be set for Special Order on Monday, April 1, 1963, following the Morning Call.

There was objection.

Senator Kazen then moved that S. J. R. No. 1 on its final passage be set for Special Order on Monday, April 1, 1963, following the Morning Call.

The motion prevailed by the following vote:

Yeas—18

Blanchard	Krueger
Cole	Patman
Colson	Reagan
Creighton	Richter
Dies	Schwartz
Harrington	Spears
Herring	Strong
Kazen	Watson
Kennard	Word

Nays—8

Aikin	Owen
Calhoun	Parkhouse
Crump	Ratliff
Hardeman	Rogers

Absent

Hazlewood	Moore
Moffett	

Absent—Excused

Bates	Hall
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Presentation of Guests

Senator Kazen by unanimous consent presented the well known singer

Julius LaRosa and his accompanist Joe Masamino who are filling an engagement at The Club Caravan to the Members of the Senate.

Senate Bill 20 on Second Reading

Senator Parkhouse asked unanimous consent to suspend the regular order of business and take up S. B. No. 20 for consideration at this time.

There was objection.

Senator Parkhouse then moved to suspend the regular order of business and take up S. B. No. 20 for consideration at this time.

The motion prevailed by the following vote:

Yeas—23

Blanchard	Owen
Calhoun	Parkhouse
Cole	Ratliff
Colson	Reagan
Crump	Richter
Dies	Rogers
Hardeman	Schwartz
Harrington	Spears
Herring	Strong
Kazen	Watson
Kennard	Word
Moffett	

Nays—4

Aikin	Krueger
Creighton	Patman

Absent

Hazlewood	Moore
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Absent—Excused

Bates	Hall
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The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 20, A bill to be entitled "An Act relating to state credit unions, loans and investments therein, the maximum rate of interest and other charges on loans made thereby, and the supervision, examination, examiners fees, expenses, bylaws, etc., and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 20 on Third Reading

Senator Parkhouse moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three

several days be suspended and that S. B. No. 20 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Kennard
Blanchard	Moffett
Calhoun	Owen
Cole	Parkhouse
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word

Nays—2

Krueger Patman

Absent

Moore

Absent—Excused

Bates Hall

The President then laid the bill before the Senate on its third and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Ratliff
Crump	Reagan
Dies	Richter
Hardeman	Rogers
Harrington	Schwartz
Hazlewood	Spears
Herring	Strong
Kazen	Watson
Kennard	Word

Nays—3

Creighton Patman
Krueger

Absent—Excused

Bates Hall

Senate Bill 47 on Second Reading

On motion of Senator Colson and by unanimous consent, the regular or-

der of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 47, A bill to be entitled "An Act providing for the deposit of all revenues derived from easements on property under the control of the Department of Corrections, together with all revenue received by the Department of Corrections as damages to property under its custody and control, to the Special Mineral Fund of the Department of Corrections, created by the provisions of Section 16 of Senate Bill 354, Acts of the 52nd Legislature, Regular Session, 1951, chapter 325, page 556; and declaring an emergency."

The bill was read second time.

Senator Colson offered the following committee amendment to the bill:

Amend Section 1 of Senate Bill No. 47 by striking out the following words: "Special Mineral Fund of the Department of Corrections" and inserting in lieu thereof the following: "The Texas Department of Corrections Special Mineral Fund."

The committee amendment was adopted.

On motion of Senator Colson and by unanimous consent the caption was amended to conform to the body of the bill as amended:

The bill as amended was passed to engrossment.

Senate Bill 47 on Third Reading

Senator Colson moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 47 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Hazlewood
Blanchard	Herring
Calhoun	Kazen
Cole	Kennard
Colson	Krueger
Creighton	Moffett
Crump	Moore
Dies	Owen
Hardeman	Parkhouse
Harrington	Patman

Ratliff	Spears
Reagan	Strong
Richter	Watson
Rogers	Word
Schwartz	

Absent—Excused

Bates	Hall
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The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Moffett
Blanchard	Moore
Calhoun	Owen
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hardeman	Rogers
Harrington	Schwartz
Hazlewood	Spears
Herring	Strong
Kazen	Watson
Kennard	Word
Krueger	

Absent—Excused

Bates	Hall
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Presentation of Guest

Senator Owen by unanimous consent presented Mr. Otice Green of Lubbock to the Members of the Senate.

Announcement of Vote

This afternoon, March 26, 1963, Senate Bill 7, by Senator Jim Bates, passed the Senate. I was excused inasmuch as I was undergoing medical treatment. If I had been here I would have voted to bring up and pass this legislation for Pan American College—and Senator Jim Bates.

HALL.

Senate Bill 132 on Second Reading

Senator Creighton asked unanimous consent to suspend the regular order of business and take up S. B. No. 132 for consideration at this time.

There was objection.

Senator Creighton then moved to suspend the regular order of business

and take up S. B. No. 132 for consideration at this time.

The motion prevailed by the following vote:

Yeas—26

Aikin	Krueger
Blanchard	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Ratliff
Dies	Reagan
Hardeman	Richter
Harrington	Rogers
Hazlewood	Schwartz
Herring	Strong
Kazen	Watson
Kennard	Word

Nays—3

Cole	Spears
Patman	

Absent—Excused

Bates	Hall
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The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 132, A bill to be entitled "An Act relating to registration of voters; amending the Election Code of the State of Texas, etc., and declaring an emergency."

The bill was read second time.

Senator Word offered the following amendment to the bill:

Amend Senate Bill No. 132 by striking out the sentence reading, "The tax assessor-collector shall not charge any fee for registering a voter or for performing any duty incident to voter registration," in Lines 18-20, Page 2 of the printed bill, and by inserting in lieu thereof the following:

"To assist in defraying the expense to the county for the administration of voter registration, the tax assessor-collector shall collect from each applicant for registration a fee of twenty-five cents, which shall be paid at the time of making application, but the assessor-collector shall not make any other charge against a voter for performing any other duty incident to voter registration. In all counties, regardless of whether the tax assessor-collector is compensated on a fee basis or on a salary basis, no part of the fee shall be retained

by the assessor-collector. Where the assessor-collector is compensated on a fee basis, all fees collected hereunder shall be deposited in the general fund of the county, and where he is compensated on a salary basis, they shall be deposited in the officers salary fund of the county."

The amendment was read.

Senator Spears offered the following substitute for the pending amendment by Senator Word:

Amend Senate Bill No. 132 by striking out all below the enacting clause and by inserting in lieu thereof the following:

Section 1. Effective upon the date provided in Section 7 of this Act and conditioned as provided therein, the Election Code of the State of Texas is amended by adding thereto new sections numbered 54a and 54u, to read as follows:

"54a. Registrar of voters.

"The county tax assessor-collector of each county in this State shall be the registrar of voters in that county; and as used in this Code, the term 'registrar of voters' 'or registrar' means the county tax assessor-collector. He shall be responsible for the registration of voters, keeping of records, preparation of lists of registered voters, and such other duties incident to voter registration as are placed upon him by law. The duties here imposed on the county tax assessor-collector are in addition to his other duties imposed by law, and the expenses of his office incident to the performance of these duties shall be borne by the county. Any of these duties, other than the hearing of appeals on denial of registration and the hearing of challenges requesting cancellation of registration, may be performed through a deputy or deputies. The registrar shall not charge any fee for registering a voter or for performing any duty incident to voter registration. The registrar is authorized to administer oaths and certify thereto under the seal of his office in every case where an oath is required in complying with any portion of this Code connected with his official duties.

"54b. Time and place for registration.

"Registration of voters may begin in each county as soon as the registrar has obtained the necessary forms and other supplies incident thereto,

and shall begin not later than the first day of January following the effective date of this section. Thereafter, registration shall be in progress at all times in the office of the registrar during regular office hours and during such other times as his office may be open to the public for the purpose of accepting applications for registration. During the month of January following the effective date of this section, the registrar shall station one or more deputies at a public place within each voting precinct of the county, for at least two days, for the purpose of registering voters, and shall give notice, at least twenty days prior thereto, of the time and place at which a deputy will be present for this purpose, by posting not less than three notices at public places in each precinct and by such other manner as he deems desirable. At any other time during the first year that this section is in effect, and at any time in subsequent years, with the approval of the commissioners court, the registrar may station deputies at such public places within the county as in his discretion is necessary or desirable for the purpose of registering voters, and shall give notice in such manner as he deems desirable of the time and place at which a deputy will be present for this purpose.

"54c. Persons entitled to register.

"Every person who possesses all the qualifications of an elector, as defined in Section 34 of this Code, as amended to become effective on the first day of February following the effective date of this registration law or as thereafter amended, or will become a qualified elector within sixty days after the date of application for registration, shall be entitled to register as a voter of the precinct in which he resides. No registration shall become effective to entitle the registrant to vote in any election until thirty days after registration, and the name of a registered voter shall not be placed on the certified list of registered voters prior to the expiration of thirty days after registration is completed.

"54d. Registration record form.

"The registration of each voter shall be recorded on a registration record form of loose-leaf style, which shall be made out in duplicate and which shall contain, in affidavit form to be signed and sworn to by the applicant, all the information required by Section 54e of this Code.

The registration record form shall also contain suitable space for recording change of residence, transfer of registration to another voting precinct, information as to elections at which the voter votes, and information pertinent to cancellation of registration. In addition to any matter herein required, the registrar may cause to be written or printed on the form any other reasonable memoranda which are necessary or convenient to enable the registrar to perform his duties in assorting or classifying or handling registration records with correctness or dispatch.

"The registration record forms for each county shall be serially numbered, beginning with No. 1. The registration records of registered voters shall be kept in two files, one to be known as the precinct registration file and the other to be known as the county registration file. The original form shall be filed alphabetically, by name of the registrant, in the precinct file, and the duplicate shall be filed in the county registration file. When a voter's registration is cancelled, the original and duplicate records shall be withdrawn from the active precinct and county files and placed in a separate file. The registration files shall be kept in the office of the registrar at all times in a place and in such manner as to be properly safeguarded. The files shall be open to public inspection at all times during regular office hours of the registrar, subject to reasonable safeguards.

"54e. Procedure for registration.

"Anyone desiring to register shall present himself to the registrar or an authorized deputy, who shall put the applicant for registration under oath and inform him that any willful false statement he makes will subject him to prosecution for false swearing. The applicant then shall swear to the following facts, and his answers shall be recorded on the registration record form in his presence by the person registering him, in permanent writing or typewriting:

"1. Name at length, including given name, and a middle name or initial, or if initial of first given name is customarily used, then initial and middle name. The given name of a woman shall be preceded in all cases with the designation of Miss or Mrs.

"2. The facts necessary to establish the applicant as an elector: that he is a citizen of the United States;

is over twenty-one years of age (or will become twenty-one years of age within sixty days thereafter, stating the date on which he will reach that age); has continuously resided in Texas one year, and six months in the county wherein he is applying for registration (or will have met these residence requirements within sixty days thereafter, stating the date on which the requirements will have been met).

"3. Place of residence and post-office address with sufficient particularity to identify it and to determine the applicant's voting precinct.

"4. Occupation.

"5. Country or state of birth.

"6. If foreign born, how citizenship was acquired, whether by: citizenship or father, treaty or act of Congress, order of a court or naturalization, marriage to a citizen; naturalization of a parent or husband. The date when and the place where the applicant became a citizen shall be stated except in the case of citizenship acquired by citizenship or naturalization of parents, by treaty or by act of Congress. When citizenship depends upon the citizenship or naturalization of parent or husband, the name of the parent or husband shall be stated.

"7. Whether the applicant is able to write his name, and whether he has any physical disability by reason of which he cannot mark the ballot, in which case the nature of such disability shall be stated.

"The applicant shall sign the affidavit with his name at length, as recorded on the form (except that the designation of Miss or Mrs. may be omitted) and if he is unable to write he shall sign with a mark or cross, and the person before whom the affidavit is made shall insert the date of the affidavit, which shall be the date of the jurat.

"54f. Voter identification card.

"Upon completion of registration of each voter, the registrar shall issue to the voter a voter identification card, which shall be headed 'Voter Identification Card' and shall contain the following information: the voter's name, as shown on his registration record, his registration number, his address, occupation, and country or state of birth. The voter shall sign the card in the presence of the registrar and the registrar shall officially certify to the issuance of the card

and the date of its issuance. Immediately preceding the certification there shall be printed the following: 'Holder not entitled to vote before _____,' and in the blank space the registrar shall fill in the date of the thirty-first day following registration if the registrant is then a qualified elector or will become a qualified elector within that period, or the date on which the registrant will become a qualified elector, if later than thirty days after registration.

"If an identification card is lost, mutilated, or destroyed, the voter may obtain a replacement identification card, in the form and manner herein provided. The face of the card shall contain the same information as the original card, except that it shall be headed, 'Replacement Voter Identification Card. Not valid unless affidavit on reverse side is properly executed.' On the reverse side shall be printed an affidavit in substantially the following form:

Before me, the undersigned authority personally appeared

who, being by me duly sworn, says that his Voter Identification Card has been lost, mutilated, or destroyed.

(Signature of Voter)

Sworn to and subscribed before me, this _____ day of _____, 19_____.

(Signature and title of officer administering oath)

The voter shall notify the registrar, in person or by mail, that the card previously issued to him has been lost, mutilated, or destroyed, and shall request that a replacement card be issued to him. If the voter is applying in person, the registrar shall fill in the information on the face of the card from the voter's registration record on file in his office, noting on the record that a replacement card has been issued, shall take the voter's affidavit, and shall then deliver the card to the voter after the voter has signed it and the registrar has verified that the signature corresponds to the signature on the registration record. If the voter is applying by mail, the registrar shall fill in the information on the face of the card from the voter's registration record, after verifying that the signature on

the request corresponds to the signature on the registration record, and shall then mail the card to the voter and file the request with the voter's county registration record. As used in other sections of this Code, the term 'voter identification card' shall include a replacement card issued and executed in accordance with this section.

"It shall be unlawful for the registrar to mail or deliver an identification card or replacement identification card to anyone other than the voter to whom it is issued, and any registrar or deputy who violates this provision shall be fined not less than one hundred dollars nor more than one thousand dollars.

"54g. Registration of shut-ins and persons absent from the county.

"If any person eligible to register is unable to register in person at the registrar's office by reason of sickness or physical disability, the registrar may register the applicant at his place of abode, if practicable, in the same manner as if he had appeared at the registrar's office. If this is not practicable, the person may register in the following manner:

"He shall make application in writing to the registrar for the forms necessary for registration. The registrar shall furnish the applicant with an affidavit form upon which such person shall provide the information necessary for registration, which form shall contain the following, in addition to the information and statements prescribed in Section 54e of this Code: 'Because of sickness or physical disability I am unable to register in person. The nature of the sickness or physical disability is _____.'

The registrar shall also furnish the applicant with a blank identification card. The applicant shall sign and swear to the affidavit before an officer authorized to administer oaths, and shall also sign the identification card in the presence of such officer, and shall return the affidavit and identification card to the registrar.

"If any person eligible to register is absent from the county of his residence and expects to be absent on all days allowed by law for registration prior to thirty days preceding the next election, he may register in the manner outlined in the preceding paragraph, and the affidavit form shall contain the following: 'I am unable to register in person because I am absent from the county of my

residence and expect to be absent on all days allowed by law for registration prior to thirty days preceding the next election.'

"When the affidavit and identification card are returned to the registrar, the registrar shall transfer the information to an original and duplicate registration record form and shall forward the forms to the applicant for his signature, above which shall be the following certificate: 'I hereby certify that the information recorded on this form is true.' When the original and duplicate registration record forms are returned to the registrar, the person shall be deemed to have completed his registration. The registrar shall note on the records that registration was effected through an affidavit of absence, sickness or physical disability, and shall attach the affidavit to the duplicate registration record form, to be filed in the county registration file. The registrar shall complete the information on the voter identification card and mail the card to the voter.

"54h. Vote by members of Armed Forces, etc., without registration.

"If any person within either of the classes of persons enumerated in this section is eligible to register but has failed to do so, and is otherwise eligible to vote absentee by mail on the ground of expected absence from the county, he may vote without registration by sending a Federal Post Card Application for an absentee ballot in accordance with the law. This section shall apply to the following classes of persons:

"1. Members of the Army, Navy, Air Force, Marine Corps, Coast Guard and Merchant Marine of the United States serving outside the territorial limits of this state, and their spouses when residing with or accompanying them.

"2. Civilian employees of the United States in all categories serving outside the territorial limits of the United States, and their spouses when residing with or accompanying them.

"54j. Challenge of applicant.

"Any person applying for registration may be challenged by the registrar or deputy registering him or by any registered voter of the county. If after hearing and considering the challenge the officer taking the application is satisfied as to the applicant's entitlement to registration, he shall register the applicant, but if not so satisfied, he shall refuse to

register the applicant. If refusal has been by a deputy registrar, the applicant may appeal to the registrar, who shall decide the challenge within seven days. When the registrar refuses to register an applicant, the applicant may appeal from the decision of the registrar to the district court within thirty days after the registrar's decision, and the decision of the district court shall be final. The court shall give priority to the appeal if an election is pending within sixty days.

"54j. Challenge of registered voter.

"Any registered voter may challenge the registration of any other registered voter in his county at any time by submitting in writing to the registrar a statement setting forth the grounds of the challenge and requesting cancellation of the challenged voter's registration. The registrar shall notify the challenged voter of the filing of the challenge and shall furnish him with a copy thereof, and shall set a date for a hearing, which shall be not less than ten days nor more than thirty days after the notice. The registrar shall decide the challenge within seven days after the hearing. Either party may appeal from the decision of the registrar to the district court within thirty days after the registrar's decision, and the decision of the district court shall be final. The court shall give priority to appeal if an election is pending within sixty days. A challenged voter may continue to vote until a final decision is made cancelling his registration.

"54k. Registration permanent until cancelled.

"The registration of a voter is permanent for all purposes during his life, unless and until the registration is cancelled by the registrar for any of the causes specified in this Code. In addition to any other grounds specified in this Code, the registrar shall cancel the registration in the following cases:

"1. At the request of the person registered.

"2. When the insanity of the person registered is legally established.

"3. Upon the production of a certified copy of a subsisting judgment of the conviction of the person registered of any felony, unless the person has been restored to full citizenship and right of suffrage or pardoned.

"4. Upon the production of a certified copy of a judgment directing the cancellation to be made.

"5. Upon the death of a person registered.

"6. Upon receipt of notice of new registration in another county.

"7. Upon failure to vote for a period of four years, as more fully described in Section 54m of this Code.

"54l. Cancellation of registration upon death, adjudgment of insanity or conviction of felony.

"Not later than the fifteenth day of each month, each local registrar of deaths in this State shall furnish to the registrar of voters of the county of residence of the decedent an abstract of the death certificate of each decedent over twenty-one years of age who was a resident of this State at the time of death, showing the name, age, sex, nativity, place of residence, date of death, and place of death. Upon receipt of such record, the registrar of voters shall cancel the registration of any such person who is registered as a voter in his county.

"Not later than the fifteenth day of each month, the clerk of each county court or probate court in this State shall furnish to the registrar of voters of the county of residence of the persons so adjudged, an abstract of each final judgment adjudging a person over twenty-one years of age and resident within this State to be mentally ill and mentally incompetent, showing the person's name and permanent address and any other available information which will assist in identifying the person in the voter registration files. Upon receipt of such record, the registrar shall cancel the registration of any such person who is registered as a voter in his county.

"Prior to January 31 of each year, the registrar shall examine the records of all courts in his county having jurisdiction of the trial of felony crimes, and shall cancel the registration of any registered voter who is convicted of a felony.

"54m. Cancellation of registration for failure to vote.

"Unless a voter votes in at least one primary or general election for nomination or election of state and county officers during a period of four years, his registration shall be cancelled unless the voter has registered during the four-year period or unless, upon notification by the regis-

trar as hereinafter provided, the voter requests that his registration be continued.

"In each general primary and second (runoff) primary election for nomination of state and county officers, and in each general election for election of state and county officers, the presiding judge of each election precinct within the county (including the presiding judge of the special canvassing board for absentee ballots) shall deliver to the registrar the list of registered voters used at the election, marked to show the names of persons who voted at the election, as provided elsewhere in this Code. From the lists of registered voters so furnished to him, prior to December 31 of each even-numbered year the registrar shall make a record in the precinct registration files of the voters who voted at such elections during that year. Prior to January 31 of each odd-numbered year, beginning with the year 1969, the registrar shall examine the registration records to determine which persons have not voted or registered during the preceding four years and shall mail to each such person, at the address given on the registration record, a notice that his registration will be cancelled unless he notifies the registrar in writing, signed by the voter, within thirty days thereafter that he is still a qualified elector of the precinct in which he is registered and wishes to continue his registration. After the expiration of thirty days from the date of the notice, the registrar shall cancel the registration unless he has received a request for continuation of the registration. Where a request for continuation of registration is received within the thirty-day period, the registrar shall note that fact on the voter's precinct registration record card and shall preserve the request for a period of five years, after which time the request may be destroyed.

"54n. Change of residence within county.

"A registered voter who changes his place of residence within the precinct shall notify the registrar of the change of address and shall present his voter identification card to the registrar and the registrar shall make the necessary change on the registration records and on the identification card.

"A registered voter who changes

his residence to another precinct within the county shall request the registrar to transfer his registration to the precinct of his new residence at least four days before any election at which he offers to vote, and unless the voter has done this and his name appears on the certified list of registered voters of the precinct of his new residence, he shall not vote. The voter shall appear in person before the registrar and present his voter identification card and shall make written affidavit of the change of residence, or he shall send his identification card and the sworn affidavit to the registrar by mail. Thereupon the registrar shall make the necessary changes on the registration record forms and on the identification card, and shall transfer the voter's precinct registration record form to the precinct registration files for the precinct of his new residence, and shall return the identification card to the voter.

"54o. Change of residence to another county.

"A registered voter who moves from one county to another must register in the county of his new residence in the same manner as an initial registrant. The voter shall inform the person registering him of his prior registration in the county of his former residence, which fact shall be noted on the new registration record forms of the voter. The registrar of the county in which the new registration is accomplished shall forthwith notify the registrar of the county wherein the voter was formerly registered that the voter has changed his registration to the county of his new residence. Upon receipt of such notice, the registrar of the county wherein the voter was formerly registered shall cancel the former registration.

"54p. Disposition of records upon cancellation of registration.

"Upon cancellation of the registration of a voter, the registrar shall remove the voter's registration record forms from the county and precinct registration files and shall attach the duplicate form to the original form and file them alphabetically in the cancelled registration file. The forms shall be preserved for a period of five years after cancellation, and may then be destroyed.

"54q. Change of name.

"Any registered voter who changes his name through marriage or judg-

ment of a competent court shall file a sworn affidavit of such change with the registrar and apply for registration under his new name. New registration record forms shall then be prepared and executed and a new identification card shall be issued to the voter, and the old records shall be placed in the cancelled registration file. If otherwise qualified, the voter shall be eligible to vote under the new registration at any election held more than four days after the registration is completed, and may vote under the former registration at any election held within four days after the new registration.

"54r. Abolition of precinct or alteration of boundary.

"In the event the precinct in which a registered voter resides is abolished or has its boundary altered, the registrar shall change the voter's registration record forms to show him to be registered in the proper precinct without any request from such voter, and shall mail notice of such change to each voter affected, and such change shall be noted on the identification card of the voter upon presentation of the card to the registrar. If the registrar is unable to determine the proper precinct of a voter from the information on the registration record forms, he shall mail a request to the voter for such additional information as will enable him to determine the proper precinct, and until such information is received he shall not place the voter's name on the list of registered voters for any precinct. Changes in precinct boundaries shall not become effective until the first day of February following the order of the commissioners court making the change.

"54s. Lists of registered voters.

"Before the first day of April of each year, the registrar shall prepare for each election precinct of the county a certified list of registered voters who were registered as of the first day of March of that year, arranged alphabetically by the names of the voters and showing the following information for each voter: registration number, name, address, and occupation. For each general, special, or primary election held within the county, prior to the first day of April of the following year, the registrar shall deliver to the board, executive committee, or other authority having the duty of furnishing supplies for the election, one set of

such lists for all precincts in the county if the election is county-wide, and one set of such lists for all precincts wholly or partially within the boundaries of the particular political subdivision if the election is less than county-wide. The registrar shall also furnish to each such authority, not less than two days prior to each election held by it, certified supplemental lists in the form herein prescribed of registered voters in each precinct whose names do not appear on the original list for such precinct, together with lists of the names of all persons whose registration has been cancelled or transferred to another precinct since preparation of the original lists. The authority shall furnish to the presiding judge in each precinct the original and supplemental lists of voters in his precinct at the time it furnishes other election supplies. Prior to the opening of the polls, the presiding judge shall strike from the original list the names of persons whose registration has been cancelled or transferred to another precinct.

"The registrar shall furnish without charge to each clerk having the duty of conducting absentee voting in any election the appropriate lists for use in the conduct of absentee voting for the election.

"No charge shall be made for lists furnished for use in elections held at the expense of the county or any city or other political subdivision. For each set of original and supplemental lists which the registrar is required to furnish to the executive committee of a political party for use in its primary elections, the registrar shall be permitted to charge not more than five dollars, to be paid by the party or the chairman so ordering the lists, which charge shall be in full for both the original lists and the supplemental lists. The registrar shall also furnish to the county executive committee of each political party, for any year in which such party is holding precinct conventions, one set of the original and supplemental lists for use in qualifying persons to participate in such conventions, for which the registrar shall be permitted to charge not more than five dollars.

"It shall be permissible for the registrar to furnish additional copies of the original and supplemental lists for each election, and it shall be permissible for the election officers to use such additional lists for making up the poll list for the election when fur-

nished in suitable form for that purpose.

"In addition to other registration records which the registrar is required to maintain, the registrar may maintain an auxiliary record of registered voters on punched cards or in other appropriate manner for producing lists of registered voters on data processing equipment, and may furnish lists of registered voters prepared by such method. In lieu of making supplemental lists for an election, he may furnish a revised complete list of registered voters for each precinct, reflecting changes in the original list which are required to be shown by the supplemental lists.

"If any election is held between the first day of February and the first day of April of the year following the effective date of this section, the registrar of each county in which such election is to be held shall prepare a list of registered voters for use at such election in time for delivery to the board charged with the duty of furnishing the supplies for the election at least two days prior to the election.

"54t. Statement of registrations

"Prior to the fifteenth day of March of each year, the registrar shall make a statement to the Secretary of State and to the county clerk showing the number of voters registered in each election precinct in the county as of the first day of March of that year. Such statement shall become a record of the officer to whom the statement is made.

"54u. Penalty for false swearing

"Any person who wilfully makes any false statement in an affidavit executed under any provision of this chapter shall be deemed guilty of false swearing and upon conviction shall be punished by confinement in the state penitentiary not less than two nor more than five years."

Sec. 2. Effective upon the date provided in Section 7 of this Act and conditioned as provided therein, Sections 34, 89, 90, and 93 of the Election Code of the State of Texas (compiled as Articles 5.02, 8.07, 8.08, and 8.11 of Vernon's Texas Election Code) are amended to read as follows:

"34. Qualification and requirements for voting.

"Every person subject to none of the foregoing disqualifications who shall have attained the age of twenty-one years and who shall be a citizen

of the United States and who shall have resided in this State one year next preceding an election and the last six months within the district or county in which such person offers to vote, shall be deemed a qualified elector; provided that any member of the Armed Forces of the United States or component branches thereof, or in the military service of the United States, may vote only in the county in which such person resided at the time of entering such service. Except as provided in Section 54h of this Code, no person shall be eligible to vote at any election held within this State unless he is a qualified elector at the election and has registered as provided in this Code. These requirements shall apply to all elections, including general, special, and primary elections, whether held by the State, by a county or other political subdivision of the State, or by a political party."

"89. Voter shall present identification card.

"No person shall be permitted to vote unless he first presents to the election officer his voter identification card, provided for in Section 54f of this Code."

"89. Poll list and signature roster; acceptance of voter

"There shall be kept at each polling place a poll list and a signature roster of persons voting at the election. The poll list shall be made up in the number of copies required by law, consisting of an original and carbon copies thereof, which shall be distributed as provided elsewhere in this Code. The signature roster shall be made up as an original and one carbon copy thereof.

"When a person offers to vote, he shall present his voter identification card to an election officer and the election officer shall announce the voter's name and shall ascertain that the voter's name appears on the list of registered voters, and shall then require the voter to sign and fill out the signature roster, which shall show the voter's name, address, and registration number. The election officer shall compare the signature on the signature roster with that on the identification card, and if he finds that they correspond, an election officer shall enter the voter's name and registration number on the poll list and shall note on the list of registered voters that the voter has voted at that election. If the election officer finds that

the signatures do not correspond, he shall challenge the voter, and the voter shall not be allowed to vote unless he complies with the procedure prescribed by this Code for acceptance of the vote of a challenged voter. The election officer shall make a notation of the challenge on the signature roster, together with a notation of the action taken thereon. If the voter is allowed to vote, the word 'challenged' and the name and address of the party testifying under oath as to the voter's qualifications shall be written on the poll list opposite the name of the voter. If a voter is unable to sign his name, his name shall be entered on the poll list without any entry being made on the signature roster, and such fact shall be noted on the poll list. In each case the voter's identification card shall be returned to him.

"After the polls are closed, the original copy of the signature roster shall be attached to and returned with the copy of the poll list which is intended for inspection by the public, and the carbon copy of the signature roster shall be retained by the presiding judge, who shall keep it for sixty days, subject to the inspection of anyone interested in the election."

"93. Delivery of ballot

"The presiding judge shall check all ballots to see that they are properly printed and numbered, removing any defectively printed or unnumbered ballots, and shall affix his signature on the back of each ballot to be used at the election, and shall thoroughly disarrange and mix the ballots so that they no longer are in consecutive numbered sequence or in any sequence of arithmetic or geometric progression, and shall then place the ballots face down in a stack or stacks from which each voter shall be allowed to take his own ballot without the number being known to or written down in any manner by an election officer. After the voter's name has been entered on the poll list, he shall be allowed to select his ballot as above set out. The voter shall then immediately retire to a voting booth or a place prepared for voting by the election officers, and there prepare his ballot in the manner provided by law."

Sec. 3. Effective upon the date provided in Section 7 of this Act and conditioned as provided therein, Section 37 of the Election Code of the State of Texas (compiled as Article 5.05 of Vernon's Texas Election Code) is amended by adding thereto a new

subdivision numbered Subdivision 2a, reading as follows:

"Subdivision 2a. Voter identification card to accompany application for absentee ballot. Except as provided in Section 54h of this Code, every application for an absentee ballot shall be accompanied by the voter's identification card, provided for in Section 54f of this Code, or by his written signed statement that his identification card has been used in applying for an absentee ballot in another election (stating the nature and date of the election) and has not been returned to him. All references in this Code to the poll tax receipt or exemption certificate of an absentee voter shall be construed to mean the voter's identification card, except that an affidavit in lieu thereof shall not be allowed."

Sec. 4. Effective upon the date provided in Section 7 of this Act and conditioned as provided therein, the Election Code of the State of Texas is amended by adding thereto a new section numbered 54v, to read as follows:

"54v. Construction of terms

"Whenever, under any provision of this Code or of any other statute of this State heretofore enacted, a person is required to have paid a poll tax or secured an exemption certificate as a qualification for any purpose, such statute shall be construed to require that the person be registered as a voter in accordance with the provisions of this chapter, unless the context clearly requires otherwise. All references to a poll tax receipt or an exemption certificate as evidence of eligibility to vote shall be construed to mean the voter identification card provided for in Section 54f of this Code, and all references to the list of qualified voters shall be construed to mean the list of registered voters provided for in Section 54s of this Code."

Sec. 5. Effective upon the date provided in Section 7 of this Act and conditioned as provided therein, subdivisions (4) and (5) of Section 179a of the Election Code of the State of Texas (compiled as Article 13.01a of Vernon's Texas Election Code) are amended to read as follows:

"(4) To be a qualified member of an organized political party and to participate in its conventions, a voter shall have become affiliated with the party as provided in this subdivision.

"(a) The applicant for party affiliation of a party holding primary elections shall become a qualified member

of the party when he has voted in that party's primary or has affiliated with the party in the manner prescribed in subparagraph (iii) of this paragraph.

"(i) At the head of the signature roster for each primary election there shall be printed the following statement: 'I swear that I have not voted at a primary election or participated in a convention of any other political party during this year.' The presiding judge, or another election officer designated by the presiding judge, shall place each voter under oath and require him to swear to this statement before he signs the roster. The presiding judge or another election officer designated by him shall issue to each voter in a general primary election, and to each voter in a second primary election who requests it, a certificate in the following form:

Date.....
..... has voted
(Name of voter)
in the primary election of the
..... Party.
.....
Presiding Judge, Precinct
No.,
..... County, Texas.

"(ii) In the event a voter shall vote by absentee ballot in a primary election, in addition to other matter required by Section 37 of this Code, the affidavit executed by the voter shall contain the statement set out in subparagraph (i) above. The county clerk shall furnish to each voter in a general primary election, and to each voter in a second primary election who requests it, a certificate in the form prescribed in subparagraph (i), signed by the county clerk in lieu of the presiding judge. If the voter is voting by personal appearance, the county clerk shall deliver the certificate to the voter at the time he votes. If the voter is voting by mail, the clerk shall mail the certificate to the voter upon receipt of the voted ballot.

"(iii) To become a qualified member of a party holding primary elections in order to participate in any party convention held prior to the general primary election, the applicant shall present his voter identification card to the precinct chairman of the party and State under oath that he has not participated in a convention of any other political party during that year and that he desires to af-

affiliate with the party to which he is applying for affiliation. Thereupon, the precinct chairman shall issue to the voter a certificate in the following form:

Date.....
 has affiliated
 (Name of voter)
 with the.....
 Party for the current year.

 Precinct Chairman, Precinct
 No.....
 County, Texas.

"(b) To become a qualified member of a party not holding primary elections and to participate in its conventions, the applicant for party affiliation shall present his voter identification card to the precinct chairman of the party and state under oath that he has not voted at a primary election or participated in a convention of any other political party during that year and that he desires to affiliate with the party to which he is applying for affiliation. Thereupon, the precinct chairman shall issue to the voter a certificate in the form prescribed by subparagraph (iii) of paragraph (a) of this subdivision.

"(5) Once a voter has affiliated with a party in a manner prescribed in subdivision (4) of this section, he shall remain a qualified member of such party for the duration of that calendar year. A certificate issued by the presiding judge, the county clerk, or the precinct chairman as provided in subdivision (4) shall serve as evidence that the person whose name appears thereon has affiliated with the party and is therefore eligible to participate in its conventions. All judges and clerks of primary elections and all precinct chairmen shall have authority to administer the oaths required for party affiliation. Any person who swears falsely to a statement that he has not voted at a primary election or participated in a party convention of any other party, as required by subdivision (4) shall be fined not less than one hundred dollars nor more than five hundred dollars."

Sec. 6. Effective upon the date provided in Section 7 of this Act and conditioned as provided therein, Sections 41 through 56 of the Election Code of the State of Texas (compiled as Articles 5.09-5.24 of Vernon's Texas

Election Code) are repealed. The repeal of Section 41 of the Election Code shall not affect liability for payment of a poll tax or the continued existence and force of Article 2.01 of Title 122A, Taxation—General, of the Revised Civil Statutes of Texas. All other laws requiring the payment of a poll tax or the obtaining of a certificate of exemption from the payment thereof shall be of no further force to require that the tax be paid or that an exemption certificate be obtained as a prerequisite for voting, but all such laws shall be construed as provided in Section 54v of the Election Code, enacted by Section 4 of this Act.

Sec. 7. Sections 1 through 6 of this Act shall become effective and operative as a law only upon the condition that a constitutional amendment abolishing payment of the poll tax as a prerequisite for voting and authorizing the enactment of a general registration law is proposed by the 58th Legislature and becomes a part of the Constitution of Texas. In the event such a constitutional amendment shall fail to be adopted, the aforesaid sections of this Act shall not become effective or operative in whole or in part. In the event such an amendment is adopted, Section 1 of this Act shall become effective on the date such amendment becomes a part of the Constitution of Texas, and Sections 2 through 6 shall become effective on the first day of February thereafter.

Sec. 8. This section of this Act shall become effective and operative as a law only upon the condition that the amendment to the Constitution of the United States proposed by Senate Joint Resolution No. 29 of the 87th Congress of the United States becomes a part of the Constitution of the United States prior to an amendment of the Constitution of the State of Texas abolishing payment of the poll tax as a prerequisite for voting. If such amendment to the Constitution of the United States is not adopted, or is adopted after the amendment of the Constitution of Texas as aforesaid, this section shall not become effective or operative in whole or in part. In the event this section becomes operative and Sections 1 through 6 of this Act also becomes operative, this section shall expire on the date that Sections 2 through 6 of this Act take effect. Subject to the foregoing conditions, the Election

Code of the State of Texas is amended by adding thereto a new section numbered Section 34a, to read as follows:

"34a. Voting for federal offices

"Subdivision 1. Qualifications and requirements for voting for federal offices. Notwithstanding any other provision of this Code or the Constitution of this State, the payment of the poll tax shall not be required as a condition for voting for United States Senator, for United States Representative (including Congressman-at-Large), or for President and Vice-President or electors for President and Vice-President of the United States, in any general, special, or primary election. To be eligible to vote for such offices, a person must be a qualified elector under the Constitution and laws of this State in all other respects. If he is not subject to payment of the poll tax, he must have obtained an exemption certificate in accordance with the provisions of this Code if he is required to hold an exemption certificate as a condition for voting generally. If he is subject to payment of the poll tax, he must have paid the tax and obtained a receipt therefor prior to the first day of February preceding the election; or he must have obtained a poll tax receipt without payment of the tax prior to the first day of February preceding the election, as provided in Subdivision 2 of this section.

"Subdivision 2. Issuance of poll tax receipts without payment of the tax. A person who is subject to payment of the poll tax and who is in other respects a qualified elector may apply to the tax collector of the county of his residence at any time between the first day of October and the thirty-first day of January following for issuance of a poll tax receipt without payment of the tax, to be used to identify him in voting for offices enumerated in Subdivision 1 of this section. The applicant shall furnish to the tax collector all the information necessary to enable the tax collector to fill out the blanks in the poll tax receipt, and the tax collector shall issue the receipt as in cases where the poll tax is paid, except that he shall place the following notation on the face of the original and duplicate receipt: 'Poll tax not paid.' The application may be made in either of the manners authorized in Section 43 of this Code, and all laws pertaining to issuance of

poll tax receipts without payment of the tax in so far as they can be made applicable, except as otherwise provided in this section. At the time the tax collector makes up the lists of qualified voters, he shall make up separate lists of those persons to whom poll tax receipts have been issued without payment of the tax and shall furnish the lists to the election boards at the same time that he furnishes other lists.

"Subdivision 3. Voting on receipts issued without payment of the tax. A person subject to payment of the poll tax who has obtained a receipt without payment of the tax shall not be eligible to vote at any election or on any office or proposition except at elections for offices enumerated in Subdivision 1 of this section. When such persons offer to vote, the election officers shall enter their names on a separate poll list and shall furnish them with a ballot containing only the offices and candidates on which they are entitled to vote. When other offices or propositions are to be voted on at the same election, the election officers may provide separate ballots listing only the federal offices to be voted on, or may use the regular ballots prepared for the election, from which all other offices and propositions have been stricken. When the ballot is to be cast on a voting machine, all other offices and propositions shall be locked out before the voter enters the machine. The returns of the election shall show, separate from other voters, the number of persons voting on poll tax receipts issued without payment of the tax."

Sec. 9. If any provision of this Act or the application thereof to any person or circumstance is held invalid, this invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

Sec. 10. The necessity for enacting a law for registration of voters in sufficient time to prevent a hiatus between the present law and the new law, in the event of adoption of a constitutional amendment abolishing payment of the poll tax as a prerequisite for voting, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three sev-

eral days in each house be suspended, and this Rule is hereby suspended.

**SPEARS
KENNARD
RICHTER
HARRINGTON**

The substitute by Senator Spears for the pending amendment by Senator Word was read.

Senator Calhoun raised the point of order that the substitute offered relates to other sections of the Act other than the pending amendment and therefore was not in order at this time.

The President sustained the point of order.

(Pending discussion by Senator Spears of the amendment by Senator Word, Senator Owen occupied the Chair.)

Senator Spears then moved to table the amendment by Senator Word.

Question on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—11

Cole	Patman
Harrington	Richter
Herring	Schwartz
Kazen	Spears
Kennard	Strong
Krueger	

Nays—19

Aikin	Moffett
Blanchard	Moore
Calhoun	Owen
Colson	Parkhouse
Creighton	Ratliff
Crump	Reagan
Dies	Rogers
Hall	Watson
Hardeman	Word
Hazlewood	

Absent—Excused

Bates

Question recurring on the adoption of the amendment by Senator Word, the amendment was adopted.

Record of Votes

Senators Kazen, Harrington, Spears,

Kennard, Patman, Krueger, Schwartz and Richter asked to be recorded as voting "Nay" on the adoption of the above amendment.

Senator Crump offered the following amendment to the bill:

Amend Senate Bill No. 132 in the following respects:

(1) By striking out Line 49 through Line 64 on Page 1 of the printed bill and by inserting in lieu thereof the following:

"Every person subject to none of the foregoing disqualifications who shall have attained the age of twenty-one years and who shall be a citizen of the United States and who shall have resided in this state one year next preceding an election and the last six months within the district or county in which such person offers to vote, and who shall have registered as a voter if required to do so, shall be deemed a qualified elector; provided that any member of the Armed Forces of the United States or component branches thereof, or in the military service of the United States, may vote only in the county in which such person resided at the time of entering such service. Any qualified elector who is over sixty years of age on the day of an election at which he offers to vote and who does not reside in a city of ten thousand or more inhabitants may vote at the election without having registered as a voter, but no other person shall be permitted to vote unless he has registered in accordance with the provisions of this Code. The provisions of this section shall apply to all elections, including general, special, and primary elections, whether held by the state, by a county, municipality or other political subdivision of the state, or by a political party."

(2) By striking out Line 29 on Page 2 of the printed bill and by inserting in lieu thereof the following:

"No person who is over sixty years of age at the time of applying for registration shall be permitted to register unless he resides in a city of ten thousand or more inhabitants. Except as hereinabove stated, every person who at the time of applying for registration is in other respects."

(3) By adding a new section to the Election Code of the State of Texas, to be inserted between Line 7 and Line 8 on Page 3 of the printed bill and to read as follows:

"44b. Registration of persons over 60 years of age upon removal to city of 10,000 or more inhabitants

"Notwithstanding the provisions of Section 43a of this Code, a person who is over sixty years of age at the time of applying for registration, and who did not reside in a city of ten thousand or more inhabitants at any time during the period for registration prescribed in Section 43a but who later removed to such a city, may register at any time thereafter for the voting year in which he removed to such city, and if the removal was during the month of February, for the ensuing voting year beginning on the first day of March thereafter, if at the time of applying for registration he is a qualified elector or will become a qualified elector before the end of the voting year for which he is registering; provided, however, that he must have registered at least four days before the day of any election at which he offers to vote."

(4) By striking out Line 16 through Line 25 on Page 7 of the printed bill and by inserting in lieu thereof the following:

"56a Construction of other laws

"Whenever, under any provision of this Code or of any other statute of this state heretofore enacted, a person is required to have paid a poll tax or secured an exemption certificate as a qualification for any purpose, such statute shall be construed to require that the person be registered as a voter in accordance with the provisions of this Code. All references to a poll tax receipt or an exemption certificate shall be construed to mean a voter registration certificate, unless the context clearly requires otherwise, and all references to the list of qualified voters shall be construed to mean the list of registered voters as provided for in Section 52a of this Code."

(5) By striking out Line 35 through Line 49 on Page 7 of the printed bill and by inserting in lieu thereof the following:

"Section 5. All existing laws requiring the payment of a poll tax or the obtaining of a certificate of exemption from the payment thereof as a prerequisite for voting shall continue to apply to all elections held prior to the effective date of Section 4 of this Act. Thereafter, all such laws shall be of no further force to require that the tax be paid or that

an exemption certificate be obtained as a prerequisite for voting, but all such laws shall be construed as provided in Section 56a of the Election Code, enacted by Section 3 of this Act."

The amendment was read.

Question—Shall the amendment by Senator Crump to S. B. No. 132 be adopted?

Welcome Resolutions

S. R. No. 309—By Senator Herring: Extending welcome to teachers and students of the T. A. Brown Elementary School of Austin.

S. R. No. 310—By Senator Herring: Extending welcome to teacher and students of 7th grade class from Lamar Junior High School in Austin.

S. R. No. 311—By Senator Creighton: Extending welcome to teachers, sponsors and students of the civics classes of Cisco High School.

S. R. No. 312—By Senator Krueger: Extending welcome to superintendent, teachers and students of the Junior Class of Sealy High School.

S. R. No. 313—By Senator Kazen: Extending welcome to Sister Mary Anthony, principal, teachers and students of 8th grade classes of Benavides Junior High School and Saint Rosa de Lima of Benavides.

S. R. No. 314—By Senator Spears: Extending welcome to teachers and students of Loma Park Elementary School of San Antonio.

S. R. No. 316—By Senator Aikin: Extending welcome to Mr. and Mrs. H. O. Bowen of Paris.

(President in the Chair.)

Adjournment

Senator Blanchard moved that the Senate stand adjourned until 10:00 o'clock a.m. tomorrow.

Question on the motion to adjourn, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—20

Aikin	Cole
Blanchard	Colson
Calhoun	Dies

Hardeman
Harrington
Herring
Kennard
Owen
Parkhouse
Patman

Ratliff
Reagan
Richter
Rogers
Schwartz
Spears
Strong

Nays—10

Creighton

Crump

Hall
Hazlewood
Kazen
Krueger

Moffett
Moore
Watson
Word

Absent—Excused

Bates

Accordingly the Senate at 3:40
o'clock p.m. adjourned until 10:00
o'clock a.m. tomorrow.

In Memory of
Dr. Everett H. Givens

Senator Herring offered the following resolution:

(Senate Resolution 315)

Whereas, In the passing of Dr. Everett H. Givens on the sixth day of November, 1962, the City of Austin lost a dedicated and able civic leader; and

Whereas, Dr. Givens devoted most of his life to the betterment of educational standards and economic conditions of members of his race; and

Whereas, His intelligent and logical approach to controversial matters made him an effective champion of many causes and earned for him the respect of people in all walks of life; and

Whereas, Dr. Givens worked tirelessly for East Austin, giving his wise counsel in fostering better understanding, and his passing is an irreparable loss to thousands of people who for so many years depended on his wisdom and guidance; and

Whereas, It is the desire of the Senate of the Fifty-eighth Legislature of the State of Texas to honor the memory of this most worthy citizen; now, therefore, be it

Resolved, That when the Senate adjourns today it do so in his memory and that a page in the Permanent Journal of the Senate be devoted to the recording of this resolution; and be it further

Resolved, That an enrolled copy of this resolution be sent to Dr. Givens' widow as an expression of sympathy and as a small token of the respect in which Dr. Everett H. Givens was held by the Members of the Senate of Texas.

The resolution was read and was adopted by a rising vote of the Senate.